

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:13-mc-00155-FDW-DCK**

**GODDARD SYSTEMS, INC.,**

**Plaintiff-Judgment  
Creditor,**

**vs.**

**JOHN W. MONBARREN and ANNA  
ISALY MONBARREN,**

**Defendants-Judgment  
Debtors.**

**ORDER FOR FINAL EXECUTION AND  
PRECLUSION OF EXEMPT  
PROPERTY**

THIS MATTER comes now before the Court upon Judgment Creditor's Motion for an Order of Final Execution and to Preclude Exempt Property Rights. (Doc. No. 4). For the reasons set forth below, this Motion is GRANTED.

IT APPEARING to the Court that Judgment Debtors have been served with copy of the Judgment together with a copy of the Notice of Right to Have Exemptions Designated and Schedule of Debtors Property and Request to Set Aside Exempt Property and that the Judgment Debtors have failed to file a Schedule of Debtors Property and Request to Set Aside Exempt Property and have failed to request a hearing to set aside exempt property or otherwise respond within the time allowed. The Court, therefore, finds that the Judgment Debtors have had a reasonable opportunity to assert the exemptions provided by law and that the Judgment Debtors' failure to respond should be considered a waiver of their rights to have property set aside as exempt from the execution of the Judgment in this case.

IT IS, THEREFORE, ORDERED that Judgment Debtors are precluded from having any of their property set aside as exempt from Judgment in this case.

IT IS FURTHER ORDERED that a final execution be issued by the Clerk of this Court for the collection of the judgment in this case.

IT IS SO ORDERED.



Frank D. Whitney  
Chief United States District Judge

